

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| Application of: | Crooke <i>et al.</i> | Confirmation No.: | 6604 |
| Application No.: | 10/553,722 | Art Unit: | 1635 |
| Filed: | July 10, 2006 | Examiner: | Gibbs, Terra C. |
| For: | MODULATION OF APOLIPOPROTEIN C-III EXPRESSION | | |
| | Attorney Docket No.: 12207-017-999 | | |

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §§ 1.56 AND 1.97

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure imposed by 37 C.F.R. § 1.56 and § 1.97 to inform the Patent and Trademark Office of all references coming to the attention of each individual associated with the filing or prosecution of the subject application, which are or may be material to the patentability of any claim of the application, Attorneys for Applicants hereby direct the Examiner's attention to the references listed on the attached List of References Cited by Applicant.

References A01-A04 are U.S. patents. Therefore, copies of these references are not being submitted pursuant to 37 C.F.R. §1.98(a)(2)(ii).

Legible copies of references B01 and C01-C16 are submitted herewith.

Applicants provide the following remarks regarding Reference C02. A CD-ROM was purportedly contributed to the public collection of the Katherine R. Everett Law Library of the University of North Carolina on March 14, 2002. The CD-ROM is purported to contain a document by Chin entitled "On the Preparation and Utilization of Isolated and Purified Oligonucleotides." The document has been included on the form PTO/SB/08A and a paper copy is enclosed herewith. The CD-ROM is also purported to contain a listing of "all sequences of 8 to 12 nucleotides that have between 40 and 60 percent G+C content and are free of homopolymeric runs of 4 or more bases and directly or inversely repeated regions of 4

or more bases” a paper copy of which is too voluminous to submit herewith. Applicant’s submission of the foregoing information shall not be construed as an admission that the purported CD-ROM contains that which it is purported to contain nor shall it be construed as an admission that the purported CD-ROM is a publication.

Applicants respectfully request that the Examiner review the references and that the references be made of record in the file history of the application.

Identification of references listed on the List of References Cited by Applicant is not to be construed as an admission of Applicants or attorneys for Applicants that such references are available as “prior art” against the subject application.

This Information Disclosure Statement is filed under 37 C.F.R. §1.97(b)(4), before the mailing of a first Office action after the filing of a request for continued examination under §1.114. Accordingly, no fee is believed to be required.

The Commissioner is authorized to charge any required fee or credit any overpayment for this Information Disclosure Statement to Jones Day Deposit Account No. 50-3013 (referencing 489808-999017).

Date: June 11, 2009

Respectfully submitted,


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